PROVISIONAL
For participants only

NPT/CONF.IV/MC.I/SR.1
7 December 1990

ENGLISH
Original: FRENCH

FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

MAIN COMMITTEE I

PROVISIONAL SUMMARY RECORD OF THE 1st MEETING

Held at the Palais des Nations, Geneva, on Friday, 24 August 1990, at 10 a.m.

Chairman: Mr. ADEYEMI (Nigeria)

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Review of the operation of the Treaty as provided for in its article VIII (3):

Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(1) Articles I and II and preambular paragraphs 1-3

(2) Article VI and preambular paragraphs 8-12

(3) Article VII, with specific reference to the main issues to be considered in the Committee

Security assurances:

(1) Resolution 255 (1968) of the United Nations Security Council

(2) Effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons

(3) Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (proposal by Nigeria)

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GE.90-66165/2676B

The meeting was called to order at 10.45 a.m.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3):

IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY:

(1) ARTICLES I AND II AND PREAMBULAR PARAGRAPHS 1-3

(2) ARTICLE VI AND PREAMBULAR PARAGRAPHS 8-12

(3) ARTICLE VII, WITH SPECIFIC REFERENCE TO THE MAIN ISSUES TO BE CONSIDERED IN THE COMMITTEE

SECURITY ASSURANCES:

(1) RESOLUTION 255 (1968) OF THE UNITED NATIONS SECURITY COUNCIL

(2) EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

(3) CONSIDERATION OF PROPOSED AGREEMENT ON THE PROHIBITION OF THE USE OR THREAT OF USE OF NUCLEAR WEAPONS AGAINST NON-NUCLEAR-WEAPON STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (proposal by Nigeria)

(agenda item 13) (NPT/CONF.IV/1 and 17)

The CHAIRMAN declared open the first meeting of Main Committee I.

Mr. BOOTHBY (Secretary of Main Committee I) announced that for financial reasons it might not be possible to provide summary records of the meetings of Main Committee I, but the Secretariat would in any case prepare a record of decisions taken.

The CHAIRMAN outlined his proposals for the organization of the Committee's work. The Committee would first hold a general exchange of views on the agenda items referred to it. Next, it would examine in depth the proposals or working papers submitted by delegations. In that connection he suggested that a special sub-committee should be established to examine, under the chairmanship of Mr. Deyanov, of Bulgaria, the proposal by Nigeria (NPT/CONF.IV/17). Thirdly, the Committee would consider the report which it would submit to the Drafting Committee. He asked members if they wished the initial exchange of views to be of a general nature or whether they preferred to deal with the agenda items one by one. His own preferance was for the former option.

Mr. MARIN BOSCH (Mexico) also considered it preferable to start with a general discussion of the agenda items. He noted Mr. Boothby's announcement that, for financial reasons, the Committee might have to do without summary records. If it agreed to that, the provisions of rule 42 of the rules of procedure of the Conference would not be observed. He considered that to be unacceptable.

The CHAIRMAN announced that steps had been taken to obtain the necessary funds to finance the Conference. If the financial situation improved it might be possible in the days ahead to return to a normal situation, and thus have summary records. He took the opportunity to remind delegations that the funding of the Conference was not the direct responsibility of the United Nations, which, with its well-known budgetary difficulties, was unable to place its services at the disposal of the Conference on the strength of vague promises of repayment. The Chairman asked the members of the Committee to accept that situation and he asked delegations to be brief, so that the general discussion would not continue beyond Monday, 27 August.

Mr. TALIANI (Italy) said he appreciated that the Conference faced serious financial difficulties, but he thought the Committee could not possibly do without summary records. He therefore proposed that delegations should proceed on the basis that summary records would be produced, in the hope that the necessary funding would be released, which he was confident would happen. He agreed with the Chairman that the general discussion should not extend beyond Monday, 27 August.

The CHAIRMAN, agreeing with Mr. Taliani's proposal, invited delegations not to spend too much time on the question of summary records, otherwise the discussion would become uselessly bogged down.

Mr. GONZALO GUTIERREZ (Peru) also considered that the general discussion should cover all the items on the agenda and that all contributions should be brief and specific. It was his understanding that the President of the Conference intended to convene the Bureau in the near future to discuss the question of the financing of the Conference.

Mr. DEYANOV (Bulgaria) said that, as the experience of previous conferences showed, the work of Main Committee I had always been a difficult but instrumental part of the effort to review the implementation of the NPT and to draft a meaningful final document.

He hoped that the Committee would be determined from the outset not to waste valuable resources, but still allow itself enough time to carry out its task thoroughly. He therefore thought that after a brief general discussion

on the implementation of articles I, II and VII and on the issue of security assurances, the Committee should break up into three or four subsidiary bodies which would draft the relevant parts of the Final Document.

In terms of organization, the review of issues relating to articles I, II and VI seemed relatively clear, but the review of article VII and the issue of security assurances might require particular care, given some previous arrangements agreed upon at the third session of the Preparatory Committee. The Chairman had just proposed that a sub-committee be set up to examine in detail the proposal by Nigeria concerning an agreement on negative security assurances, which appeared as sub-item B (3) of agenda item 13. On the completion of its work, it might be appropriate, from the standpoint of economy of time and effort by delegations, to transform the sub-committee into a working group to deal with the other two sub-items (B (1) and (2)), namely resolution 255 (1968) of the United Nations Security Council and effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons. The Working Group could also review article VII of the Treaty.

If delegations so wished, Main Committee I could, therefore, following the general discussion, separate into three working bodies: the first would review articles I and II, the second article VI and the third, formerly the sub-committee, would draft a text for the Final Document on the implementation of article VII and the whole issue of security assurances, making use of the sub-committee's conclusions concerning the proposal by Nigeria. The Bulgarian delegation considered that, while the scope of the consideration of security assurances could be limited to non-nuclear-weapon States Parties to the NPT, participation by all nuclear-weapon States, including the two observer States not parties to the Treaty, in the sub-committee's work would be desirable. His delegation was prepared to accept the arrangements suggested by the Chairman for the organization of the work of Main Committee I.

Mr. AZIKIWE (Nigeria) said his understanding had been that the sub-committee was to consider Nigeria's proposal in document NPT/CONF.IV/17, but Mr. Deyanov's remarks implied that it would also deal with other issues. Since time was extremely limited, he thought it would be better for the sub-committee not to dissipate its efforts and to focus on the proposal by Nigeria.

The CHAIRMAN said that he had understood the Bulgarian delegation to have suggested that the sub-committee should concentrate on the proposal by Nigeria and then turn into a working group which would deal with the other points mentioned. He believed drafting the Final Document would require many other, mostly informal, working groups to be set up.

Mr. KAREM (Egypt) thought it preferable that the sub-committee's terms of reference should be of a general nature, without specifying a particular document. The proposal by Nigeria was of course very important and should be given top priority, but he pointed out that Egypt too had submitted a working paper, of which a revised version (prepared in consultation with the Nigerian delegation) would shortly be circulated.

Mr. PATOKALLIO (Finland) agreed with the representative of Egypt that the sub-committee's mandate should be to focus on the issue of security assurances, which would obviously involve its considering the highly important proposal by Nigeria.

Mr. HARUM-UR-RASHID (Bangladesh) associated himself with the remarks of the representatives of Egypt and Finland.

The CHAIRMAN, noting the proposals by Egypt, Finland and Bangladesh, said that, in the absence of objection, he would consider that delegations agreed to the proposed organization of the Committee's work.

It was so decided.

Mr. DEYANOV thanked delegations for having elected him to the post of Chairman of the sub-committee and assured the members of Main Committee I that he would do his utmost to deserve their trust, which was an honour for his delegation.

Mr. MACKAY (New Zealand) requested that, in the absence of summary records, the Secretariat should provide delegations with a document reflecting the decisions taken by Main Committee I.

Mr. MARIN BOSCH (Mexico) asked what the situation really was with regard to summary records and whether delegations could share the optimism expressed by the representative of Italy on the matter.

Mr. BOOTHBY (Secretary of Main Committee I) said he agreed that the Secretariat had no authority to take action that was not in accordance with the rules of procedure of the Conference. However, it should be borne in mind

that the Conference did not at present possess sufficient financial resources to provide summary records. The Secretariat had therefore requested that all Committee meetings be tape-recorded, which would mean that summary records could be produced once the necessary funds had been released. He assured all members of the Committee that the Secretariat would spare no effort to carry out its duties under the rules of procedure.

The CHAIRMAN, noting that no delegation wished to open the general discussion, proposed that the meeting should adjourn.

The meeting rose at 11.40 a.m.

PROVISIONAL

For participants only

NPT/CONF.IV/MC.I/SR.2
1 November 1990

Original: ENGLISH

FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

COMMITTEE I

PROVISIONAL SUMMARY RECORD OF THE 2nd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 27 August 1990, at 10 a.m.

Chairman: Mr. ADEYEMI (Nigeria)

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Organization of work

General exchange of views on agenda items allocated to the Committee

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GE.90-66183/2547B

The meeting was called to order at 10.20 a.m.

ORGANIZATION OF WORK (NPT/CONF.IV/MC.I/Dec.1)

The CHAIRMAN thanked the Committee for electing him and said that a record of the decisions on the programme of work had been prepared at the request of the delegation of New Zealand and circulated as document NPT/CONF.IV/MC.I/Dec.1. He intended to convene an informal meeting of friends of the Chairman, to begin as soon as the current meeting rose, in order to consider the programme, including the mandates of the sub-committee and of any working groups that might be required.

GENERAL EXCHANGE OF VIEWS ON AGENDA ITEMS ALLOCATED TO THE COMMITTEE (NPT/CONF.IV/17; NPT/CONF.IV/L.1; NPT/CONF.IV/MC.I/CRP.1)

The CHAIRMAN invited members to engage in a general exchange of views on the review of the operation of the Treaty as provided for in article VIII (3), pursuant to Conference agenda item 13 A and B. Only the present meeting was available for such an exchange and he urged speakers to be brief and to avoid repetition of statements made in plenary.

The Committee's work was vital and the task was to seek to strengthen the Treaty with a view to achieving broader adherence and improving the possibility of extending it indefinitely beyond 1995. In that regard, a unique opportunity was offered by the vastly improved international political climate and the upsurge in optimism and the will to co-operate. The Treaty was imperfect, of course, especially in its lack of credible guarantees and commitment to disarmament measures, not to mention the question of nuclear transfers. Again, the issues before the Committee were sensitive and complex. Members should show the utmost flexibility and a spirit of compromise. He hoped that specific proposals would be put forward in the form of draft texts so worded as to attract the widest possible support.

Mrs. THEORIN (Sweden) said that the United Nations Group of Experts on a Comprehensive Study on Nuclear Weapons, which she had chaired, had adopted its report by consensus. The Secretary-General was to transmit the study to the General Assembly at its forty-fifth session, and the text was available to the Conference as an informal paper. The adoption by consensus was in itself a significant achievement, in view of the scope and complexity of the subject; it had also been very timely, having taken place one month after an agreement, signed at the recent summit meeting in Washington,

which provided for deep cuts in various categories in the strategic offensive arms of the United States and the Soviet Union, continued negotiations on further cuts and effective limitations on qualitative improvements in strategic and tactical nuclear weapons. Coincidentally, on the day the report had been adopted the Heads of State and Government of the NATO countries had announced a major shift in military doctrine.

The study was the first United Nations study in the field of security to be completed in the new period of détente between East and West, and the first in which nuclear-weapon States had taken part. It had responded to the need to update and supplement, in the light of changes in the world political situation and developments in science and nuclear-weapon technology, the United Nations study submitted to the General Assembly in 1980. The report provided technical data and statistics on existing nuclear weapons, reviewed developments in nuclear-weapon systems, analysed doctrines and strategies, described weapons development, production and testing as well as the effects of nuclear warfare, commented on matters such as international security, arms limitation and disarmament, examined the legality of nuclear weapons and outlined a set of political conclusions. It had been able to show, thanks to the current climate of glasnost, data from the Soviet Union on matters such as birth defects and mortality rates from leukaemia in the Semipalatinsk region, where there was a Soviet nuclear test site. Nuclear weapons, even if not used, involved a high price for human beings and for the environment. For example, a $28.6 billion programme was proposed by the United States Department of Energy to rectify conditions at civil and military nuclear sites, clean up pollution and develop new methods for radioactive and chemical waste disposal.

The study's conclusions pointed to the entire world's conviction of the catastrophic consequences of a major nuclear war, referred to the nuclear-weapon Powers' determination, voiced during the past decade, to avoid any nuclear conflict, and stressed that not only those Powers, but other States also, should contribute to reducing the risk of nuclear war. The study noted the momentous world changes, including the progress in disarmament negotiations between the United States and the Soviet Union, which had reduced the threat of nuclear confrontation, and stressed the right and duty of States to help in disarmament efforts. Strict observance of the nuclear non-proliferation régime remained fundamentally important, and global and

regional efforts were needed to strengthen the régime further in all its aspects. The study ended on an optimistic note, postulating that reliance on military strength for national security would be increasingly supplemented by policies of confidence-building and co-operation - doubtless the trend over the long term.

It was her hope that the study would become a standard reference work, available to experts and laymen throughout the world, on the nuclear disarmament issues of the 1990s, and that it would prove useful to the Conference, which had the task, inter alia, of preparing for an extension of the NPT in 1995.

Mr. GUTIERREZ (Peru) said there were a number of issues which should be reflected in the Final Document so as to mark some progress in relation to the one adopted in 1985, and one of them was vertical proliferation. Although the strategic arms limitation negotiations between the super-Powers, signified progress in quantitative terms, technological research was continuing. Hence, a clear statement by the nuclear-weapon States of their intention to comply with the obligation under article VI to end the arms race should be accompanied by an unequivocal statement of the intention to proceed to a corresponding qualitative limitation.

Horizontal proliferation, too, was a cause for concern. In the past five years, transfers to States not Parties to the NPT of material and technology for nuclear-weapon development, including the means to manufacture ballistic missiles and launch vehicles, had been on the increase. To put an end to that utterly objectionable practice, the Conference should, in line with the obligations set out in article I of the Treaty, arrive at an undertaking by all producer countries of relevant equipment or technology that they would demand, as a general rule, the "full-scope safeguards" from importers in all countries not Parties to the NPT. The safeguards should also be made applicable to all cases of supplies under existing contracts. It was to be hoped that an appropriate code of conduct, which some producer countries already intended to apply, could be adopted for acceptance by all NPT Parties and set forth in the Conference's Final Document. His delegation would revert to that matter during discussions on article III (2). The Final Document should also contain an urgent appeal for all non-nuclear-weapon Parties to the NPT to sign as speedily as possible the relevant IAEA safeguards agreement, pursuant to the provisions of article III (1).

Under article I, nuclear-weapon States Parties undertook not to transfer to anyone, directly or indirectly, nuclear weapons or explosive devices or help any non-nuclear-weapon State to manufacture or acquire them. In order to strengthen that undertaking, a legally binding policy statement to that effect should be made by all nuclear-weapon States. Peru also endorsed the initiative aimed at requiring all non-nuclear-weapon States not (Parties) to the NPT to assume a legal undertaking not to acquire nuclear weapons or explosive devices and to accept the IAEA safeguards for all their current and future nuclear activity.

As to the link between the NPT with cessation of nuclear testing and with a treaty on the total prohibition of such tests, it would be desirable to negotiate, among other options, a treaty on a comprehensive nuclear test ban, as a possible temporary measure, valid for 10 years perhaps during which period the nuclear-weapon testing States would undertake to adopt the necessary measures towards total cessation. The process could begin with the nuclear-weapon States Parties to the NPT, be extended to all States possessing nuclear weapons or devices and finally lead to a multilateral agreement.

Negative security assurances were an important complementary element, but had been widely and wrongly ignored. An agreement should be drawn up at once, legally requiring any nuclear-weapon State to avoid the use or threat of use of nuclear weapons against any non-nuclear-weapon State Party to the NPT. His delegation supported most of the contents of document NPT/CONF.IV/17, containing the Nigerian proposal, but felt that a detailed analysis was warranted in order to align some of the matters with the requirements of the States Parties. It was ready to work to that end in the sub-committee to consider negative assurances. A further confidence-building measure would be a joint declaration, by all nuclear-weapon States, that none would be the first to use weapons of that type.

Despite a <u>de facto</u> moratorium on the production of fissionable material on account of the huge stockpiles in the hands of the nuclear-weapon States, none of those States had voiced a decision to suspend production. Therefore, negotiations must be initiated on an agreement for international verificaion of a complete end to such production; such a measure would accord fully with bilateral understandings on the reduction of intermediate-range and strategic nuclear weapons and therefore be consonant with article VI of the NPT.

In view of the welcome outcome of the recent talks between the United States and the Soviet Union on a substantial reduction in strategic nuclear weapons, it would be a valuable further step towards compliance with article VI if the super-Powers could formally announce, at the present Conference, an undertaking to draw up a strategic arms limitation agreement during 1990 and to begin START II negotiations as speedily as possible.

The views expressed during the current exchange could perhaps be issued as preliminary texts which, together with working papers submitted by delegations or groups, might serve as a basis for the Committee contribution to the Final Document. His delegation reiterated its readiness to co-operate fully to that end.

Mr. MARIN BOSCH (Mexico) thanked the representative of Sweden for the information about the comprehensive study on nuclear weapons conducted by the United Nations Group of Experts. Since the previous Review Conference a number of significant developments had made the intervening period the most hopeful since the era of détente had begun. Yet there was no sign of the political will to arrive at an agreement on a total comprehensive nuclear-weapon test ban, the lack of which remained an obstacle to full compliance with the spirit and the letter of the NPT. The United States and the United Kingdom together with their NATO partners, insisted that continuance of nuclear testing was essential in order, as they put it, to maintain deterrent credibility. It was hard to see who needed to be deterred, now that the Cold War and confrontation had disappeared. Despite the negotiations for the cuts in strategic arsenals, the withdrawal of intermediate-range weapons from European territory and the possible reduction of short-range weapons there, it seemed that nuclear warheads were being repositioned in other regions or at sea. The nuclear threat, therefore, had not disappeared. Nuclear disarmament and an end to the nuclear arms race would never be achieved while the testing and production of fissionable material for military purposes continued.

His delegation attached the greatest importance to article VI, which was based on the text of a Mexican initiative put forward in 1966, and fully supported the draft resolution contained in document NPT/CONF.IV/L.1, submitted by the Non-Aligned and Other States. The proposals it contained were aimed at strengthening the NPT and ensuring that it remained fully operative beyond 1995. In particular, he supported the call, set out in

detail in operative paragraph 4, for action by the Governments of the Soviet Union, the United Kingdom and the United States. The Committee's deliberations and drafting work must be systematic and orderly, so as to make a valid contribution to the Final Document of the Conference. Mexico's proposals to that end were contained in working paper NPT/CONF.IV/MC.I/CRP.1. The text was self-explanatory, and he would welcome any comments.

Mr. AALBU (Norway) said that the terms of articles I and II were central to the aim of preventing further proliferation of nuclear weapons. The possibility that non-nuclear-weapon States had already acquired nuclear weapon capability or might be trying to do so was a particularly great danger in regions where tension and conflict posed a threat to international peace and security. The Nordic Governments had therefore suggested that all non-nuclear-weapon States not Parties to the Treaty should assume international, legally binding commitments not to acquire nuclear weapons or other nuclear explosive devices, and no effort should be spared to secure universal adherence to the Treaty.

As to article VI, the Final Document should record that considerably more progress had taken place during the period under review than in any previous period and that prospects for further progress were good. Nevertheless, only limited progress had been made in regard to a total and permanent ban on all nuclear explosions. A multilateral agreement on a comprehensive nuclear test ban was vital in securing effective control over nuclear weapons development and proliferation. Therefore, the present Conference should strongly advocate that the recently re-established ad hoc committee in the Conference on Disarmament should initiate substantive work when it resumed its deliberations in 1991. The Final Document should also reflect the environmental concerns voiced in regard to underground nuclear testing.

The establishment of nuclear-weapon-free zones was an important supplement to the NPT. The initiative must come from the States of the regions concerned and the zones established must not adversely affect existing security arrangements. All the major States of the region in question must be parties, and adequate verification arrangements must exist. Such zones had been established in Latin America and the South Pacific and had contributed to the global efforts to halt and reverse the arms race. However, it was important that all eligible States should beqome parties to such a treaty.

Mr. DONOWAKI (Japan) said that all States Parties should abide by the provisions of articles I and II. Doubts of any kind - and some had been raised, unfortunately - about the implementation of those articles would damage the Treaty's credibility. It would be advisable, therefore, for States Parties, nuclear and non-nuclear, to reaffirm their strict observance of the provisions of those articles. Non-nuclear-weapon States which had not yet acceded to the Treaty should be encouraged to do so. Japan, which shared the concerns expressed about those States, had approached 18 of them shortly before the start of the Conference.

With regard to article VI and preambular paragraphs 8 to 12, it was fair to acknowledge the progress made during the past five years, far more than in the previous 15 years, in the nuclear-weapon States' nuclear disarmament efforts. Yet the Conference should also request further efforts in that direction. Nor should the obligation of non-nuclear States Parties to pursue general and complete disarmament be overlooked. Despite the encouraging CFE and CSCE negotiations and the progress in chemical weapon negotiations in the Conference on Disarmament, more efforts were obviously required to dispel the danger of armed conflict in some regions, exemplified by the mounting crisis of the past few weeks. Preambular paragraph 11 of the Treaty specifically referred to the States Parties' desire to further the easing of international tension and the strengthening of trust between States. In some regions where disarmament efforts were not ripe for negotiation, political efforts might have to be given priority in order to ease tension and build confidence.

His delegation endorsed the welcome of the re-establishment, in the Conference on Disarmament, of the Ad hoc Committee on a Nuclear Test Ban, and hoped that it would be convened as early as possible at that Conference's 1991 session. A step-by-step approach was the shortest and most realistic way to achieve a comprehensive test ban. Japan intended to participate actively in the PTBT Amendment Conference to be convened in January 1991. It understood the non-nuclear-weapon States Parties' security concerns and agreed that a solution should be sought through in-depth dialogue between nuclear-weapon and non-nuclear-weapon States within the NPT régime. The Review Conference was one of the best forums for consideration of the problem, but in view of the complex practical aspects the dialogue might have to be pursued in the Conference on Disarmament or other appropriate United Nations forums.

Mr. KRALIK (Czech and Slovak Federal Republic) said the President of his country, Mr. Vaclav Havel, had said recently, when addressing the Council of Europe, that the former totalitarian grip on Central and Eastern European nations had forced them to pay a high price for a security system based on fear of nuclear weapons. Those countries now realized that their common living space had thereby been deformed, and required a new system of security, an inseparable part of which must be the nuclear non-proliferation régime, at least until all nuclear weapons had been eliminated. Each signatory therefore had a grave responsibility not only to abide passively by the Treaty's separate provisions but actively to give effect to the non-proliferation régime and the process of nuclear arms control and disarmament.

However, the "nuclear market" was liable to make proliferation a major problem of the 1990s, involving not only nuclear arms but chemical weapons, missile equipment and nuclear technology. Hence, complementary, verifiable political and technical measures should be adopted at the national and the international level, to prevent the transfer of weapons and technology usable in the nuclear field. His delegation endorsed the conclusions of the Zangger Group in that regard. Accession to the Treaty by all nuclear-weapon States would, of course, considerably enhance the non-proliferation régime, by strengthening international legal obligations that no proclamations by non-Party nuclear-weapon States could replace.

The review of article VI focused particularly on nuclear-weapon States. Although implementation of its provisions was still not fully satisfactory, there had been more progress since the previous Review Conference than in all the preceding years; that dynamic atmosphere was propitious for the step-by-step solution exemplified by the signing of the INF Treaty in 1978, something which had shown that even highly complex problems could be solved given the political will, and by the fact that negotiations for START II had already led to the elaboration of 12 verification methods. Such sound progress augured well for further strengthening of the Treaty.

Negative security assurances were an important part of the arms reduction process, since further countries would accede to the Treaty only if they were convinced of its utility. The existing assurances were not unified, however, and some were inadequate for non-nuclear-weapon States.

Nuclear disarmament was inseparable from the disarmament process as a whole, and the comprehensive banning of nuclear-weapon tests was inseparable from the issue of non-proliferation. The committee for that purpose in

the Conference on Disarmament had been re-established, and a Partial Test Ban Treaty Amendment Conference would be convened in January 1991. A complete global ban on nuclear tests was a key factor for strengthening the NPT and achieving nuclear arms reduction and disarmament.

Responsibility for implementing the Treaty lay with nuclear-weapon and non-nuclear-weapon States Parties alike, bearing in mind the Treaty's importance for the future, for the Treaty should prevail over military ambition and force.

Mr. AZIKIWE (Nigeria), referring to the question of security assurances, said that what had, for two decades, been a legitimate concern for the security of non-nuclear-weapon States Parties to the NPT had gradually become more associated with the nuclear-weapon States' security. It was curious, too, that the provision of negative security assurances to non-nuclear-weapon States not Parties to the NPT continued to be advocated by certain interest groups, at the Conference on Disarmament and in other forums, as a precondition for any progress on that issue. The subject had first been broached when non-aligned countries had specifically sought assurances that the renunciation of nuclear weapons would not place them at a permanent military disadvantage and render them vulnerable to nuclear intimidation. However, the potential disadvantage feared at the time had increased several-fold. Nigeria had observed all too often that unilateral declarations in that regard by various nuclear-weapon States helped only to the extent that they expressed those States' concerns. Although they might assist in negotiations, unilateral assurances alone could not constitute firm, credible and legally-binding agreements; they were un-negotiated, unverifiable, conflicting, contradictory and subject to divergent interpretations. Yet no real progress had been made in that regard since the Third Review Conference, for the nuclear-weapon States clung to their unilateral declarations, acting solely in their narrow security interests and disregarding the non-nuclear-weapon States' security concerns, thus producing a stalemate on that item at the Conference on Disarmament.

Insistence on unilateral negative security assurances introduced an unacceptable element, akin to blackmail, into multilateral disarmament negotiations. To suggest that States which had made a legally-binding commitment to relinquish the nuclear option should be content with such unilateral assurances was to undermine their sovereignty; to insist on

unconditional assurances, thus placing parties and non-parties on the same footing, was unrealistic, unfruitful and disruptive. Negative security assurances must be effectively negotiated, in the light of current security realities. Until nuclear disarmament - the most effective assurance - was achieved, it was imperative for the international community to develop effective negative security assurances to non-nuclear-weapon States.

Against that background, Nigeria had submitted a proposal, in 1987, in which non-nuclear-weapon States were classified according to their security situations, the purpose being to enhance negotiations. The nuclear-weapon States had preferred their unilateral declarations, and some non-nuclear-weapon States which had not renounced the nuclear option had remained unco-operative. Nor did a further proposal by Nigeria, in 1988, under which nuclear-weapon States would relinquish their unilateral declarations during the negotiating process, succeeded in breaking the stalemate.

To strengthen the NPT and allay the anxiety of some non-nuclear-weapon States Parties, and provide further incentive to non-Party States to accede to the Treaty, Nigeria had submitted a draft agreement, contained in document NPT/CONF.IV/17, on negative security assurances within the framework of the NPT. His delegation welcomed the support expressed by nuclear-weapon and non-nuclear-weapon States Parties, and would speak again on the matter when it was taken up in the appropriate Sub-Committee, in the hope that the proposal could be adopted during the Review Conference. On that subject, his country believed that Security Council resolution 255 (1968), on Positive Security Assurances was inadequate and that unilateral declarations, having played no credible role in regard to negative assurances, should not be commended in the Final Document.

The current political developments in South Africa should not make for a false sense of security, since South Africa's nuclear-weapon capability was incompatible with peace and security for the world in general and the African States in particular. Since 1987 South Africa had been voicing its intention to accede to the NPT; it should take immediate action accordingly and submit all its nuclear activity to IAEA full scope safeguards.

Mr. TALIANI (Italy) said that one specific problem arising from the welcome progress being made in nuclear disarmament was the reconversion of weapons-grade fissionable material that became available following the decommissioning of nuclear weapons. Such material should be reassigned for

peaceful purposes, particularly for the benefit of developing countries, under appropriate international supervision. Italy had drafted a text - unfortunately not yet available for circulation - on that issue. It wished to propose some wording for inclusion in the Final Document and would speak on the matter later.

Italy's position on a comprehensive test-ban treaty was well known. In view of the current progress towards nuclear disarmament, exemplified by the intention declared by the United States and the Soviet Union to reduce their IBMs by 50 per cent, the time was perhaps not ripe for a decision on the CTB issue, as could be seen from the outcome of the latest session of the Committee on Disarmament. It was possible that, in five years' time, the problem might have disappeared.

Mr. REESE (Australia) said that, although the previous Review Conference had deemed that articles I and II were fully implemented, since then the failure of States with significant nuclear capability to fulfil their obligations to complete their safeguards agreements, and clandestine attempts by some non-nuclear-weapon States Parties to procure certain questionable items, gave rise to doubts. His delegation hoped that the Final Document would mention that it was important for Parties to adhere, and be seen to adhere, to the Treaty obligations. Moreover, and in regard to preambular paragraphs 1 to 3, which were of central importance to the NPT, the wording should be stronger than it had been in the Final Document of the previous Review Conference.

Article VI and preambular paragraphs 8 to 12 related essentially to the other half of the bargain struck in acceding to the NPT: the commitment to nuclear disarmament. In that context, Australia welcomed the improved political climate and the resultant enhanced prospects for nuclear and conventional disarmament. It supported the range of arms control negotiations, especially START, between the United States and the Soviet Union and looked forward to the conclusion of an agreement which would drastically reduce their arsenals. However, as the Australian Foreign Minister had pointed out during the general debate the number of nuclear weapons in the world would still be unacceptably high. His delegation therefore reiterated its conviction that nuclear disarmament must be pursued, actively and in good faith, pursuant to article VI, while recognizing that the process would be slow and complex and that, as noted at the previous Review Conference, stability was important.

A comprehensive nuclear test-ban treaty remained an urgent priority, since the limits it would impose on proliferation, vertical and horizontal, made it an integral part of the nuclear disarmament process and thus of full implementation of the NPT. Although the agreements signed, since the previous Review Conference, by the United States and the Soviet Union on the Verification Protocol of the 1974 Threshold Test-Ban Treaty and the 1976 Peaceful Nuclear Explosions Treaty were welcome and should be acknowledged in the Final Document, a comprehensive test ban was some way off. It was gratifying to see the recent re-establishment, in the Conference on Disarmament, of the Ad Hoc Committee on a Nuclear Test Ban, for it was time for the international community to begin work towards the early conclusion of a comprehensive test-ban treaty. Although Australia had doubts about the Partial Test-Ban Treaty Amendment Conference, it would participate in it constructively. Whatever the Conference's findings with regard to testing, the NPT remained essential.

With regard to article VII, Australia's involvement in the negotiation and establishment of the South Pacific Nuclear-Free Zone reflected its view that, in appropriate circumstances, such a zone could make a major contribution to regional security and global disarmament efforts. China and the Soviet Union had since signed the relevant Protocols to the Treaty of Rarotonga, and the members of the South Pacific Forum continued to urge other nuclear-weapon States to do so. The text of that Treaty would shortly be circulated and it was to be hoped that all delegations would support its inclusion in the Final Document.

Negative security assurances played a fundamental role in a treaty in which the vast majority of the States Parties had relinquished the option of nuclear weapons. His delegation looked forward to participating in the sub-committee to be established to consider proposals such as those submitted by Nigeria and Egypt relating to a legal system of such assurances. In that connection, under Protocol 2 of the Treaty of Rarotonga, the signatories were legally bound to give negative security assurances.

Since the NPT still lacked universality, the Conference's Final Document should issue a strong appeal to all States not yet Parties to reconsider their position. Non-Party States did gain de facto security benefits from the Treaty while accepting none of its obligations, and hence means must be sought to show them sound reasons for joining. Increased membership, particularly by the so-called "threshold States", would help in the negotiations to extend the Treaty indefinitely beyond 1995.

Mr. GORDON (United States of America) said that his delegation would work towards producing a consensus document, which could be achieved given goodwill and a spirit of co-operation. At the same time, efforts must be concentrated on establishing a sound basis for 1995, which meant that the NPT régime must be strengthened, not threatened or jeopardized in any way.

Satisfaction could be recorded with regard to article 1, but the implementation of article II needed to be strengthened, through scrupulous adherence by all Parties.

Article VI applied not just to nuclear-weapon States but to all countries, and involved non-nuclear as well as nuclear arms control negotiations. The United States had an impressive record of arms control negotiations and activities, nuclear and non-nuclear, which spoke for itself and testified to article VI's viability, yet it was time for the international community to demand that all Parties should make commensurate efforts to achieve arms control measures that could ease regional tensions and abate regional arms competition. The Conference should send a strong message to all States Parties accordingly. Fulfilment of article VI's objectives should not be judged solely in terms of the agreements concluded, for the article dealt with a process which was, in and of itself, of the utmost importance. It was also essential to recognize that changing political relationships affected arms control and disarmament measures and vice versa, and that particular arms control measures themselves, such as deep cuts in arsenals, required very careful attention in regard to the type and reliability of the weapons remaining. To avoid instability, reductions must be designed to maintain balanced defensive capability at every phase. Again, at every stage of reduction, the ability to test was essential. It must be recognized that nuclear arsenal reductions of the type sought in the START negotiations depended on awareness that the remaining weapons could be stored, deployed or transported safely and would perform as designed - which meant the ability to test. The United States was committed to an eventual complete ban on testing, on a step-by-step basis. The conditions it imposed were based on the conviction that disregard for the relationship between the types of weapons remaining at any time, or their reliability, would be a seriously destabilizing factor.

In order to strengthen the Treaty, efforts must be made to attract States currently outside its régime. Nor must the Treaty be held hostage to the conclusion of any particular treaty, whether on banning, on reduction or on

test limitations. Every arms control measure that contributed towards general and complete disarmament, the goal of article VI, must be considered and pursued on its own merits. The United States could not agree that a comprehensive test ban was a sine qua non for extending the NPT. As a matter of procedure, the United States rejected that form of hostage-holding just as it rejected any other form. As a matter of substance, it pledged itself, and called upon others, to keep the arms control process moving ahead on a smooth, steady course.

Mr. CHIRILA (Romania) said his delegation attached great importance to the re-establishment, at the Conference on Disarmament, of the Ad Hoc Committee on a Nuclear Test Ban. It had also welcomed the way in which informal meetings had been held at that Conference, such as those relating to items 2 and 3 of its agenda, at which the delegations of the Soviet Union and the United States had reported on their bilateral negotiations on strategic and outer space weapons, and the discussions which had followed. That practice of interrelating current multilateral and bilateral efforts should be encouraged. As to security arrangements for non-nuclear-weapon States, the relevant committee had noted, in its report, the many recent political improvements whose effects should have a bearing on the search for possible solutions. The proposals and initiatives put forward at the Conference on Disarmament as well as those prepared by the Nigerian and other delegations in the preparations for the current Review Conference, should be viewed in the overall context of efforts to arrive at a common formula.

His delegation had listened with interest to the information provided by the representative of Sweden about the United Nations Group of Experts on a Comprehensive Study on Nuclear Weapons, and had noted not only the progress made, including the greater transparency which prevailed, but also the various concerns still being voiced, particularly in regard to the qualitative aspects of nuclear weapons.

Delegations should now make every effort to reach conclusions in a spirit of consensus; his own would heed the Chairman's remarks in that regard and co-operate to the utmost.

Mr. HARUN-UR-RASHID (Bangladesh) said that the NPT was widely viewed as one of the most important agreements in the field of arms control and disarmament, but it was intended only as a means to achieve the goals reflected in its provisions and in preambular paragraphs 8, 10 and 11. If the NPT régime was to be strengthened, five conditions were essential: scrupulous

adherence by all States Parties to their treaty obligations, particularly the provisions of articles I, II and III; disarmament obligation; security assurances to non-nuclear-weapon States; the peaceful application and transfer of nuclear technology, particularly to developing States Parties to the NPT; and full-scope safeguards for all nuclear activity.

The wording of article VI made its purpose very clear: cessation of the nuclear arms race, as well as nuclear and comprehensive disarmament. In that regard, his delegation welcomed the many recent positive steps such as the progress in the various arms control negotiations and measures undertaken by the Soviet Union and the United States, and the re-establishment, in the Conference on Disarmament, of the Ad Hoc Committee on a Nuclear Test Ban. A comprehensive test ban was crucial to fulfilment of the Treaty obligations; it was not in itself a substantive disarmament measure but only a prelude. In that connection, all aspects of disarmament, particularly nuclear disarmament pursuant to the terms of article VI, were contained in draft resolution NPT/CONF.IV/L.1.

Legally binding negative security assurances for non-nuclear weapon States were an imperative need but Security Council resolution 255 (1968) provided no commitment or obligation beyond those already contained in the Charter. On that point, his delegation would state its views during the deliberations on the proposals put forward by the delegations of Egypt and Nigeria.

Bangladesh supported the concept of regional nuclear-weapon-free zones and recognized the regional treaties already concluded as positive developments. He was confident that the Committee would achieve success in its work.

Mr. WAYARABI (Indonesia) said it was clear that some articles of the NPT were being implemented and others were not. For example, article I had been observed as far as the letter, but not as far as the spirit was concerned. It was also generally recognized that the nuclear-weapon States Parties had been unable fully to implement the provisions of article VI and preambular paragraphs 8 to 12, in sad contrast to the fact that the non-nuclear-weapon States Parties had fully discharged their obligations under article II. Therefore, the factors which prevented States Parties from wholly implementing the provisions of the Treaty, and more especially of the articles in question, should be reviewed regularly if the Treaty's credibility was to be enhanced.

Article VI made it clear that all Parties must discharge their obligation to pursue negotiations in good faith. Hence, he could not share some delegations' interpretation that the NPT was but an instrument to encourage negotiations on nuclear and non-nuclear weapons control. Indonesia also found it disquieting that the nuclear-weapon States' perceived strategic concepts meant that the reduction in the number of nuclear weapons was accompanied by further developments in the quality and reliability of those that remained - in pursuit of policies which amounted to double standards and a threat to the Treaty.

Regional nuclear-weapon-free zones, freely arrived at, promoted regional stability and security, thus contributing to the efforts to attain the NPT's goals. The ASEAN countries were intensifying their efforts to establish such a zone. It was hoped that all countries, especially nuclear-weapon States, with interests in such regions would accede to and respect the international instruments that had established nuclear-weapon-free zones and support the initiatives taken by States Parties in accordance with article VII of the Treaty, as called for in draft resolution NPT/CONF.IV/L.1.

The most effective safeguard against the use or threat of use of nuclear weapons would be nuclear disarmament and complete elimination of nuclear weapons. It was to be hoped that, until that goal could be attained, all nuclear-weapon States would give an unconditional guarantee not to use, or threaten to use, such weapons against non-nuclear-weapon States. Accordingly, his delegation could support a proposal, on the lines put forward by the delegations of Egypt and Nigeria, to convene a conference on such assurances no later than 1991. Separate assurances by individual nuclear-weapon States were not enough at the present stage. In his opinion, the current world political climate was conducive to a start on negotiations towards an agreement on that issue.

Mr. PALIHAKKARA (Sri Lanka), referring to article VI, said that he welcomed the recent progress in bilateral negotiations, which contrasted with the overall lack of progress prior to the previous Review Conference. Nevertheless, it was disappointing that no effective limitations had been agreed upon in connection with the qualitative development of nuclear weapons systems, despite specific calls voiced at the previous Review. It was a matter for concern that, despite the deep cuts in strategic arsenals foreseen in the START negotiations, 20 per cent more nuclear weapons would be deployed than had been the case in 1970. As shown in the recent comprehensive study by

the United Nations Group of Experts, continued modernization would lead to the deployment of new types of weapons systems, contrary to the purposes of article VII of the NPT.

A comprehensive test-ban treaty would be a vital step towards non-proliferation, but no tangible move towards negotiating a treaty was being made. The argument that continued testing was necessary to ensure the safety of the remaining weapons was not backed by the published data, which indicated that the main considerations were further development, rather than safety. His delegation therefore deemed a comprehensive test-ban treaty an important concomitant to article VI and was disturbed at the lack of any clear commitment to resume even the non-negotiating work undertaken by the Conference on Disarmament in that regard. It also shared the concern voiced about the hazards, confirmed by new evidence, from underground nuclear testing. Testing of that kind, and the continued production of nuclear weapons material, would, if unchecked, result in the need for enormous expenditure on environmental safety.

Equally disquieting was the lack of progress towards meeting the non-nuclear-weapon States' legitimate demands for effective security assurances; the nuclear-weapon States should not continue to avoid addressing such genuine concerns. Perhaps they would be more amenable, at the present Conference, to seeking a workable solution. A number of constructive proposals had been made and should be considered constructively. In that connection, draft resolution NPT/CONF.IV/L.1 deserved the Committee's serious consideration.

The meeting rose at 12.30 p.m.

PROVISIONAL
For participants only

NPT/CONF.IV/MC.I/SR.3
13 December 1990

ENGLISH
Original: FRENCH

FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

MAIN COMMITTEE I

PROVISIONAL SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 29 August 1990, at 10 a.m.

Chairman: Mr. ADEYEMI (Nigeria)

later: Mr. DEYANOV (Bulgaria)

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(3) Consideration of proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (proposal by Nigeria)

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The meeting was called to order at 10.35 a.m.

ORGANIZATION OF WORK (continued)

The CHAIRMAN said that, following the open-ended meeting he had held with friends of the Chairman, he proposed that the work of Main Committee I should be divided up among three working groups in accordance with the procedure adopted in 1985. Working Group 1, chaired by Mr. Vaerno (Norway), who was also Vice-Chairman of Main Committee I, would be responsible for reviewing articles I and II and preambular paragraphs 1 to 3 of the Treaty.

Secondly, the Sub-Committee established at the first meeting of Main Committee I, pursuant to the decision taken at the third session of the Preparatory Committee of the Fourth Review Conference, had been entrusted with considering sub-item (3) of agenda item 13 B (security assurances), under the chairmanship of Mr. Deyanov (Bulgaria). The mandate of the Sub-Committee was: to consider in detail the substance of the proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons (proposal by Nigeria, doc. NPT/CONF.IV/17); to establish the procedure for further action on the proposed agreement; and, lastly, to consider the proposal calling upon the United Nations Security Council to adopt a new resolution on security assurances which would go beyond the provisions of its resolution 255 (1968) (proposal by Egypt, doc. NPT/CONF.IV/31).

The Sub-Committee would report to Main Committee I on its work, to which it could devote two official meetings and as many informal meetings as necessary. Upon completion of its work, the Sub-Committee would become Working Group 2, established by Main Committee I, and would be responsible for drafting the relevant parts of the report of Main Committee I to the Review Conference relating to agenda items 13 A (3) and 13 B (1), (2) and (3). Informal consultations on the drafting of the report were to be carried out simultaneously with the work of the Sub-Committee. Working Group 2 would report to Main Committee I.

Thirdly, Working Group 3, chaired by Mr. Adeyemi (Nigeria), would be responsible for dealing with article VI and preambular paragraphs 8 to 12 of the Treaty.

If he heard no objection, he would take it that those proposals were adopted.

It was so decided.

The CHAIRMAN read out the Committee's programme of work for the following days, which had been adopted without objection, and suggested that the consideration of questions allocated to the Sub-Committee on Security Assurances should continue.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3):

B. SECURITY ASSURANCES:

(1) RESOLUTION 255 (1968) OF THE UNITED NATIONS SECURITY COUNCIL

(2) EFFECTIVE INTERNATIONAL ARRANGEMENTS TO ASSURE NON-NUCLEAR-WEAPON STATES AGAINST THE USE OR THREAT OF USE OF NUCLEAR WEAPONS

(3) CONSIDERATION OF PROPOSED AGREEMENT ON THE PROHIBITION OF THE USE OR THREAT OF USE OF NUCLEAR WEAPONS AGAINST NON-NUCLEAR-WEAPON STATES PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS (PROPOSAL BY NIGERIA) (NPT/CONF.IV/17) (agenda item 13 B)

Mr. AZIKIWE (Nigeria) recalled that the proposed agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the NPT (NPT/CONF.IV/17) had been submitted on 2 November 1989 by the Government of Nigeria to the Depositary Governments of the NPT, which had, moreover, been requested to organize a conference, to consider that proposal, preferably during the NPT Review Conference.

Nigeria's proposal was complementary to the NPT in that it was designed to allay the anxieties of those non-nuclear-weapon States parties to the NPT whose faith in the Treaty appeared to be eroding because they realized that, by foregoing the nuclear option through their accession to the NPT, they had placed themselves at a permanent military disadvantage and become vulnerable to nuclear intimidation. The adoption of the proposed agreement would restore their confidence in the Treaty by making it more relevant to their security concerns in the present nuclear era. It would also provide a further incentive for States that had not yet done so to accede to the NPT.

The proposed agreement was restricted to States parties to the Treaty and was designed to recognize the sacrifice made by the non-nuclear-weapon States by ensuring that renunciation of the nuclear option was matched by legally binding negative security assurances. States wishing to benefit from such assurances from the Depositary Governments of the NPT should therefore first accede to the Treaty, thus strengthening not only it, but also, and more important, the non-proliferation régime.

Article I of the proposal provided for assurances for non-nuclear-weapon States parties to the Treaty which did not belong to a military alliance or have any other security arrangements providing for mutual defence with a nuclear-weapon State or, in other words, for the most vulnerable States without the umbrella protection of a nuclear-weapon State. If they were denied the nuclear option, it was only fair to provide them with assurances against the use or threat of use of nuclear weapons.

Under article II, non-nuclear-weapon States which belonged to a military alliance, or had other security arrangements providing for mutual defence, with a nuclear-weapon State would undertake not to partake in, or contribute to, any military attack on a nuclear-weapon State party to the agreement or against its allies, parties to the Treaty, except in self-defence in accordance with the Charter of the United Nations. All non-nuclear-weapon States referred to in that category already came under the nuclear umbrella of nuclear-weapon States.

Article III (3) of the proposed agreement, which suggested that the duration of the agreement should be the same as that of the Treaty, rightly established a direct link between the two instruments.

He recalled that the concept of security assurances had been born in the mid-1960s as a result of ever-growing concern among non-nuclear-weapon States about the lack of progress in nuclear disarmament and the acceleration of the nuclear arms race. It was, moreover, directly linked to the NPT, since it was during the NPT negotiations that a formal call had been made for credible and reliable assurances against the use or threat of use of nuclear weapons.

The security assurances embodied in Security Council resolution 255 (1968) were positive assurances which envisaged the use or threat of use of nuclear weapons before assistance would be provided. That resolution merely reaffirmed the existing Charter obligations to provide assistance or support to a country which had been attacked, irrespective of the type of weapons used. As a nuclear attack could come only from nuclear-weapon States, all of which were permanent members of the Security Council with veto powers, any decision concerning military or other action against a delinquent State would be impossible, since it was unlikely that an aggressor would consent to a collective action against itself.

Moreover, the negative security assurances provided unilaterally by nuclear-weapon States had not solved the problem, since, as Ambassador Alfaragi of Egypt had pointed out, unilateral declarations by their very nature implied that those who had pledged them could also repudiate them. Such assurances therefore had to be contained in a binding international legal instrument. Only on that basis would the Sub-Committee be able to make progress in its work.

The consideration of the question of negative security assurances in other international bodies and, in particular, the Conference on Disarmament had not been productive, as the nuclear-weapon States preferred not to go beyond their unilateral declarations, while some non-nuclear-weapon States that were not parties to the NPT preferred to play the role of dog in the manger. It was against that background that his delegation had submitted the proposed agreement for effective consideration. It also suggested that the following proposal should be incorporated in the final document of the Review Conference: "Within the context of the proposal submitted in November 1989 on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the NPT, it was proposed to convene a conference, not later than 1991, in order to conclude an agreement aimed at assuring non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons".

Since the Committee did not have enough time to consider the Nigerian proposal in depth, more effective consideration within the framework of the NPT would be necessary at a later date.

Mr. ELARABY (Egypt), introducing document NPT/CONF.IV/31, said that it was a revised version of the working paper already submitted by Egypt at the third session of the Preparatory Committee, but it took account of the many views expressed by delegations at that session. Moreover, since Egypt fully supported the proposed agreement submitted by Nigeria on negative security assurances, it had carefully deleted from its working paper any reference that might wrongly be regarded as being in contradiction with the Nigerian proposal. That question was essential for all non-nuclear-weapon States and Egypt had preferred to avoid any reference to negative security assurances.

With regard to the question of the universality of the NPT, which was dealt with in one of the chapters of the Egyptian document, it must be borne in mind that, since 1974, Egypt had submitted each year to the General Assembly, initially in conjunction with Iran and then alone, a proposal for the establishment of a nuclear-weapon-free zone in the Middle East. The General Assembly had finally adopted a resolution on the topic in 1980. Quite recently, the President of Egypt had proposed an initiative which had taken account of the circumstances in the Middle East and had requested that the region should be recognized as a zone free of weapons of mass destruction. His delegation hoped that the need to establish such zones would be mentioned in terms acceptable to all delegations in the final document of the Conference.

With regard to the universality of the non-proliferation régime, Egypt had proposed the initiation of an informal dialogue between the States parties to the NPT and States non-party to it and hoped that those consultations would give fresh impetus to the nuclear disarmament process. As far as international co-operation in the peaceful uses of nuclear energy was concerned, Egypt called on all States parties to the NPT fully to support the activities of IAEA, in particular by providing it with increased financial support.

As to negative security assurances, his delegation fully endorsed the proposal by Nigeria and considered that what was needed was an international instrument which was legally binding on the three nuclear-weapon Depositary States and which should be drawn up as quickly as possible. Furthermore, many non-nuclear-weapon States could still be threatened by States other than the three Depositary States or the five States which were officially nuclear-weapon States and which were, moreover, members of the Security Council. Twenty years after the entry into force of the NPT, a large number of nuclear threshold countries had still not become parties to the Treaty and had shown no intention of doing so. In the preamble to resolution 255 (1968), the Security Council had actually taken into consideration the concern of certain non-nuclear-weapon States that appropriate measures should be undertaken to safeguard their security, but it should be recalled that the resolution as a whole had been proposed only by the United States, the Soviet Union and the United Kingdom, and not by the

five official nuclear-weapon States, and that it had been adopted with five abstentions. In addition, operative paragraph 1 did not take account at all of the extent and seriousness of the use or threat of use of nuclear weapons, whereas it would have been appropriate for the Security Council to commit itself to adopting appropriate and firm measures in the event of a threat to the peace, in accordance with Chapter VII of the Charter and, in particular, its Article 42. In paragraph 2 of resolution 255 (1968), the Security Council also did not commit itself to taking the necessary measures and merely welcomed "the intention expressed by certain States" to provide assistance to any non-nuclear-weapon State party to the Treaty that was a victim of an act or an object of a threat of aggression in which nuclear weapons were used. Lastly, the reference in paragraph 3 of the resolution to Article 51 of the Charter was superfluous, as the principle enunciated had always been embodied in contemporary international law. His delegation therefore considered that the Security Council should be invited to adopt a new resolution containing credible assurances that went beyond the provisions of resolution 255 (1968) in order to take account of the peril emanating from the practice of certain nuclear threshold countries of an undeclared and ambiguous nuclear policy against their regional neighbours. The new resolution should also provide for assistance of all kinds, whether technical, political, humanitarian or economic, to victims.

Mr. SOP (Democratic People's Republic of Korea) said that, as long as the nuclear Powers were authorized to manufacture nuclear weapons and disarmament was not achieved, it was logical for the NPT to contain security assurances for non-nuclear-weapon States. It was therefore regrettable that, in the 20 years since the Treaty had entered into force, the legitimate calls for security assurances had not been fully satisfied. At present, even if the doctrine of confrontation had been done away with, there was no proof that the nuclear Powers did not intend to continue to exercise political and military influence over certain non-nuclear-weapon States, thus helping to destabilize certain regions. For that reason, it was more important than ever to ensure the balanced implementation and extension of the Treaty and to provide universal and unconditional security assurances for non-nuclear-weapon States.

His delegation supported Nigeria's proposal and endorsed the working paper submitted by Egypt, as well as the draft resolution submitted by the Group of Non-Aligned and Other States (NPT/CONF.IV/L.1). It also proposed

that consideration should be given to the possibility of convening, in 1991 at the latest, a conference on the preparation of an agreement on the prohibition of the use or threat of use of nuclear weapons against non-nuclear-weapon States parties to the Treaty.

Mr. MacKAY (New Zealand) commended the delegation of Nigeria on the proposed agreement it had submitted to the Conference. New Zealand, which was a recipient of legally binding negative security assurances from two nuclear-weapon States, hoped that the improved relations between the nuclear Powers would make it possible to initiate a more constructive dialogue and to find common ground that would be more favourable for negotiations.

If the objective was to prohibit the use of nuclear weapons in self-defence, reference should be made to the provisions of Article 2, paragraph 4, of the Charter of the United Nations, which derived from customary international law and constituted the very foundation of negative security assurances. The principle of the non-use of force as embodied in Article 2 of the Charter nevertheless had to be seen in the light of Article 51, which provided for the right of individual or collective self-defence if an armed attack occurred against a Member of the United Nations. Consequently, any agreement on negative security assurances should be fully in keeping with the provisions of Article 2, paragraph 4, of the Charter in order to ensure that the parties to the Treaty did not derogate from principles that were already internationally established. It should also be stressed that in none of the unilateral declarations by the nuclear-weapon States was the connection with the Charter clearly stated. Moreover, Article 51 of the Charter did not specifically deal with the special problems that nuclear weapons posed to world peace and security. However, all five nuclear-weapon States had acknowledged that the use of nuclear weapons in self-defence could be envisaged only in a far more restricted range of circumstances than the use of conventional ones. The common background of the unilateral declarations by those five States had undoubtedly led to Nigeria's proposal for the adoption of a legally binding international instrument.

In setting out the circumstances in which the use of nuclear weapons against non-nuclear-weapon States was prohibited, it was important not to approve implicitly the use of such weapons in other circumstances. Negative security assurances should therefore be framed in an appropriately restrictive

context. In that connection, the wording of the first preambular paragraph of the Treaty might be considered relevant in the context of the preamble to an agreement on negative security assurances.

Mr. Deyanov (Bulgaria) took the Chair.

Mr. GROOP (Finland) said that the assurances provided to the non-nuclear-weapon States against the use or threat of use of nuclear weapons should be contained in a legally binding international agreement, whose provisions should be unconditionally and comprehensively respected, and that the States parties to the Treaty that had forgone the nuclear option were entitled to expect unequivocal security assurances. Universal accession to the Treaty would be the soundest form of guarantee. His delegation also fully endorsed the agreement proposed by Nigeria.

The Review Conference offered an opportunity for considerable progress towards nuclear security and it was essential for all States parties to the Treaty, whether nuclear-weapon States or non-nuclear-weapon States, to take part in the process and, in particular, in the establishment of nuclear-weapon-free zones.

The unilateral declarations by nuclear-weapon States were not sufficient fully to meet the expectations of non-nuclear-weapon States and, for that reason, it was to be hoped that, on account of the easing of tensions between the nuclear Powers and the military alliances, the States concerned would be able to overcome their old concerns and provide all the expected security assurances. Moreover, non-nuclear-weapon States that were not parties to the Treaty should be encouraged to renounce the nuclear option so as to facilitate the conclusion of a comprehensive agreement on security assurances. The United Nations was the proper framework for such an agreement and the Conference on Disarmament should make a new start in that direction. Furthermore, the United Nations Security Council could adopt a new resolution in which nuclear-weapon States would not only reaffirm the positive assurances contained in resolution 255 (1968), but would also stengthen their unilateral negative assurances of 1978 and 1982. The proposal made by Egypt in that regard should lead to a far-reaching debate that might strengthen the non-proliferation régime and would thus be a particularly significant step, since the issue of the extension of the Treaty would be dealt with at the next Review Conference in 1995.

Mr. HOULLEZ (Belgium) thanked the delegations of Nigeria and Egypt for the working papers they had submitted. Belgium had always been keenly interested in the issue of effective international arrangements to guarantee non-nuclear-weapon States against the use or threat of use of nuclear weapons. It considered that the demands of the non-nuclear-weapon States were legitimate and understood the disappointment and discouragement felt on account of the slender achievements of the work of the Ad Hoc Committee of the Conference on Disarmament. However, even if the unilateral security assurances of the five nuclear Powers were not contained in a single declaration, they were not worthless. The problem was complex, particularly if it was borne in mind that certain States were on the point of acquiring nuclear weapons and assurances should be provided for States that refused to make their commitment to non-proliferation binding. Improvements had to be made, but the question was how. The solution should be sought within a body such as the Conference on Disarmament in which the five nuclear Powers were represented.

Belgium was unable to accept the provisions of article II of the agreement proposed by Nigeria, as they were contrary to the international obligations it had assumed as part of efforts to increase its security.

With regard to paragraph 4 (g) of document NPT/CONF.IV/L.1, his delegation was not sure that a conference designed to conclude an agreement based on Nigeria's and Egypt's proposals was likely to prove more successful than the Conference on Disarmament, which had been trying for 10 years to agree on a common formula. Belgium was, rather, in favour of the intensification of negotiations within the Conference on Disarmament (para. 6 (b) of doc. NPT/CONF.IV/L.1).

His delegation would refer in detail to the working paper submitted by Egypt when the French text had been made available. It noted, however, that, in part II of the document, Egypt proposed that the Security Council should be called upon to adopt a new resolution supplementing resolution 255 (1968) and providing for the payment of compensation and assistance to the victim State. His delegation wondered whether it would also be possible to include negative security assurances. Egypt's working paper also drew attention to the danger that nuclear threshold States represented and provided for obligations to ensure the effectiveness of negative security assurances that also concerned nuclear threshold States. As that section supplemented Nigeria's proposal, the two documents should be considered at the same time.

Mr. FLYNN (Ireland) said that the debate on negative security assurances was not a recent one. The lack of credible and effective assurances for States parties could only undermine the non-proliferation Treaty. There was no satisfactory solution to the problem, as the effects of a nuclear war would ignore the boundaries on which such assurances were based. However, some form of negative security assurances was better than none at all.

His delegation looked forward to a constructive debate on that question in Main Committee I. The debate would reflect the differing perceptions of security interests, but it was to be hoped that the States parties to the Treaty would reach an agreement on a proposal designed to improve security assurances. As part of the process of strengthening the non-proliferation régime, new initiatives should be explored to reduce the need to acquire nuclear weapons and to build confidence between States parties.

The most effective guarantee against the use or threat of use of nuclear weapons was nuclear disarmarment. The statements made during the general debate had reflected the interest in that subject shown by the international community, which hoped that a legally binding international instrument would be drawn up. Those legitimate aspirations and the shared willingness to search for a common approach and to improve the situation were the starting-point for the deliberations in Main Committee I. His delegation would examine very carefully and in a positive spirit the proposals submitted to the Conference on that subject.

Mrs. SOLESBY (United Kingdom), thanking the delegations of Nigeria and Egypt for the proposals they had submitted, recalled that the main objective of the non-proliferation Treaty was security and that all States parties should benefit from the soundest security assurances.

In 1978, the United Kingdom had officially undertaken in Parliament and then at the Special Session of the General Assembly Devoted to Disarmament not to use nuclear weapons against non-nuclear-weapon States parties to the Treaty or to other internationally binding commitments, except in the case of an attack on the United Kingdom, its dependent territories, its armed forces or its allies by such a State in association or alliance with a nuclear-weapon State. The five nuclear-weapon States had officially given unilateral security assurances. The declarations by those States differed on account of their different national security perceptions and it had so far not been possible to find a single formula.

The United Kingdom considered that article I of the agreement proposed by Nigeria was more limited in scope than the existing British guarantees and did not contain the necessary exclusion clause. Article II excluded those allies of the United Kingdom that allowed other allies to base nuclear weapons on their territories. The Government of the United Kingdom could not accept such discrimination.

However, it agreed with the objectives of Nigeria's proposal and was prepared to continue working on its wording.

She recalled that national assurances were based on national security perceptions and that, consequently, a convergence of wording required convergent perceptions.

The issue of positive security assurances referred to in Egypt's proposal was an important one and it warranted further consideration. In that connection, it should be recalled that Security Council resolution 255 dated from 1968 and it was fair to ask whether circumstances had changed sufficiently to make the adoption of a stronger resolution possible. It should also be stressed that any action by the Security Council in response to the use of nuclear weapons had to be decided in the light of the facts of the case and could not be defined in the abstract. Lastly, any provision on positive security assurances had to take account of Article 51 of the United Nations Charter on the inherent right of self-defence.

Her delegation also feared that certain States with significant unsafeguarded nuclear facilities might have acquired nuclear weapons. Only their accession to the Treaty and appropriate verification measures could dispel such fears. The Conference should make that point strongly in its final declaration.

Mr. WEMBOU (Cameroon) said that the proposal made by Nigeria on negative security assurances was interesting for three reasons. First of all, from the political point of view, it was designed to balance the obligations assumed by all parties under the NPT. Secondly, from the legal point of view, it was intended to make up for the lack of binding commitments by the Depositary States, which were nuclear-weapon States, vis-à-vis the other parties to the Treaty. It was also intended to supplement and expand on the principle of the non-use of force in international relations. Lastly, from the practical point of view, it was designed to restore the confidence of

non-nuclear-weapon States parties to the Treaty by giving them the guarantees they were legitimately entitled to claim and it helped to enhance the Treaty's credibility.

The value of unilateral declarations was, of course, recognized. But the legal scope of unilateral declarations and of multilateral treaties was quite different. His delegation therefore supported the idea of convening a conference on the issue in 1991 at the latest.

The right of self-defence enunciated in Article 51 of the Charter of the United Nations was recognized for all States and it was entirely legitimate for States and the nuclear-weapon Powers to refer to that Article. He wondered, however, what that right meant for States which, in becoming parties to the NPT, had forgone the nuclear option, which would have been a means of ensuring their self defence.

The Egyptian proposal on positive security assurances was important and his delegation would make detailed comments in the Working Group that was to consider the issue. For the time being, it merely noted that, if account had to be taken of a threat that emanated not only from the five nuclear Powers, but also from other States that had reached a certain threshold, that would indicate that there had been some vertical proliferation and that some States had thus strengthened their military capability. Working Group 1, which was responsible for reviewing articles I and II of the Treaty, as well as the third preambular paragraph, might be able to find a formula which would recognize the encouraging declarations of the Depositary States, but also make it possible to reflect the idea of, and concern about, vertical proliferation.

As to article VI, his delegation did not think that the problem was one of determining which group of States had or had not fulfilled its obligations under that article. It was well known that, despite the progress made in bilateral and multilateral disarmament negotiations, the States parties had not properly fulfilled their obligations. The problem was thus to decide which measure had to be recommended to ensure that article VI operated more satisfactorily in future.

In that context, the proposals put forward by the non-aligned countries relating to a nuclear-test-ban treaty and a provisional moratorium took on their full importance and significance. His delegation was of the opinion that Working Group 3 should look at those proposals carefully and consider them with an open mind and without pre-conditions on the part of any delegation, since the common objective was to strengthen the non-proliferation régime.

Mr. BOZY (Hungary) said that, like most non-nuclear-weapon States parties to the NPT, his country had fulfilled its obligations under the Treaty because it believed that the nuclear-weapon States would undertake not to threaten the non-nuclear-weapon States. He welcomed the fact that the nuclear-weapon States had mentioned negative security assurances during the general debate, but he regretted that the advantages offered by those unilateral declarations did not meet expectations. That was attributable to the differences in wording, and above all to the lack of a common approach to the basic issues relating to those negative assurances.

Hungary nevertheless shared the view expressed by Nigeria and Egypt in favour of a legally binding international commitment by nuclear-weapon States prohibiting the use of such weapons against the non-nuclear-weapon States which were parties to the Treaty and whose territory was completely free of nuclear weapons.

In view of the far-reaching changes taking place in international relations, account had to be taken of the legitimate needs of States that had forgone the nuclear option. Accordingly, his delegation was prepared to contribute to the success of the Committee's work.

Mr. GORDON (United States of America) said that the question of assurances of the non-use of nuclear weapons against non-nuclear-weapon States parties to the NPT was of fundamental importance. In 1978, the United States Government had provided solemn assurances that had been confirmed by successive administrations and, more recently, within the framework of the Review Conference. His delegation had listened with interest to all the opinions expressed in the general debate on that issue, which had been on the agenda for many years. The problem was to find common wording for the assurances given by each of the five nuclear States, which were permanent members of the Security Council and the only States defined as nuclear-weapon States under the NPT. It had unfortunately not yet been possible to find a common formula acceptable to all the States concerned.

His country was still prepared to try to find a solution to that problem. It appreciated the efforts of Nigeria and Egypt to consider the issue in greater depth and would comment on Nigeria's proposal within the framework of the Sub-Committee on Security Assurances. It would also consider Egypt's proposal and endorsed the comments that Belgium and the United Kingdom had made on it.

Speaking in exercise of the right of reply, he said that the obligations under the Treaty were solemn undertakings that could not and must not be subject to any concession on any point. His Government considered that any such concessions were an unacceptable affront to the Treaty.

Mr. RAHMAN (Bangladesh) noted with satisfaction that the proposals by Nigeria and Egypt indicated a convergence of views. The overall objective was to find a legally binding commitment which would strengthen both positive and negative security assurances. Far from being incompatible, the two proposals were complementary. Egypt's proposal went beyond Nigeria's and attempted to extend assurances to include not only States parties to the NPT, but also other Powers and particularly the threshold States that constituted a direct threat.

The need for security assurances was the result of the fact that non-nuclear-weapon States that renounced nuclear weapons required assurances to protect their interests.

A framework of security assurances already existed. Articles 2, 4 and 51 of the Charter of the United Nations, together with Security Council resolution 255 (1968) and the Rarotonga and Tlatelolco Treaties, set out specific commitments by the parties in respect of security assurances. With regard to positive security assurances, resolution 255 (1968) was not sufficient. Despite five abstentions, including that of France, a nuclear-weapon State, that resolution did not place enough emphasis on the extent of the nuclear threat and did not define the nature of defensive measures. It also did not refer to the sanctions provided for in Article 42. It referred mainly to "intentions". The elements necessary to achieve a binding commitment were therefore lacking.

As far as negative security assurances were concerned, the unilateral declarations by the five nuclear-weapon States revealed certain differences in the scope of the commitments and the legal reservations. The overall picture was one of insecurity and a lack of uniformity. It was thus necessary to find a single and far more categorical formula for assurances.

It was well known that, although the issue had always been on the agenda of many forums, no solution had been found. The reasons were that, despite many positive intentions, the current situation, with its changing security scenarios as a result of rapprochement between the super-Powers, East-West relations and greater security in Europe, also had a negative side.

Multipolarity, the intensification of regional conflicts, ethnic and linguistic rivalries and other factors could bring about unexpected situations from the viewpoint, inter alia, of the use of nuclear weapons. Progress had to be made on that issue, which had been under consideration for more than two decades without much success.

Mr. KAREM (Egypt) said that his country was proposing that the Conference should invite the United Nations Security Council to adopt a new resolution on security assurances. The proposed resolution should include credible assurances that went beyond the provisions of resolution 255 (1968).

Mr. HADDAH (Syrian Arabic Republic) noted with satisfaction that all speakers, whether from nuclear-weapon States or non-nuclear-weapon States, had without exception expressed their support for the objective set in the proposals by Nigeria and Egypt. Ways had to be found of achieving that basic objective, which was to provide the necessary assurances for the parties to the non-proliferation Treaty. He considered that the assurances in Egypt's proposal were broader in scope than those proposed by Nigeria and he therefore hoped that all the elements in Egypt's proposal would receive the support and approval of the Review Conference.

The meeting rose at 12.55 p.m.

PROVISIONAL
For participants only

NPT/CONF.IV/MC.I/SR.4
14 November 1990

Original: ENGLISH

FOURTH REVIEW CONFERENCE OF THE PARTIES TO THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

MAIN COMMITTEE I

PROVISIONAL SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 30 August 1990, at 10 a.m.

Chairman: Mr. ADEYEMI (Nigeria)

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Review of the operation of the Treaty as provided for in its article VIII (3):

Implementation of the provisions of the Treaty relating to non-proliferation of nuclear weapons, disarmament and international peace and security:

(1) Articles I and II and preambular paragraphs 1 to 3

Corrections to this record should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

The meeting was called to order at 10.30 a.m.

REVIEW OF THE OPERATION OF THE TREATY AS PROVIDED FOR IN ITS ARTICLE VIII (3) (agenda item 13):

IMPLEMENTATION OF THE PROVISIONS OF THE TREATY RELATING TO NON-PROLIFERATION OF NUCLEAR WEAPONS, DISARMAMENT AND INTERNATIONAL PEACE AND SECURITY:

(1) ARTICLES I AND II AND PREAMBULAR PARAGRAPHS 1 TO 3

The CHAIRMAN announced that the programme of work provided for three formal meetings at which members could make statements on the record concerning the topics to be dealt with in the working groups established by the Committee at its third meeting to facilitate the consideration of matters before it under agenda item 13. The current meeting would be given over to statements on articles I and II and preambular paragraphs 1 to 3 of the NPT. Those topics would be taken up by Working Group I immediately after the meeting had risen.

Ms. MASON (Canada) said that the basic non-proliferation goals of the NPT could not be satisfied unless there was absolute and complete compliance with articles I and II by all States Parties. Main Committee I should emphasize in its report that such compliance was essential to ensure international security and to promote wider disarmament. Clearly, the international disarmament agenda would be set back dramatically if more nuclear-weapon States, beyond the existing five, emerged. Regional tensions, particularly in South Asia and the Middle East, would be exacerbated if States in those areas openly developed nuclear weapons. Canada therefore called on all nuclear-capable States not parties to the NPT to accede to the Treaty or at a minimum to accept its principles.

In the Canadian view, compliance by the nuclear-weapon States with article I had been satisfied. There was no evidence that those States had contributed to the development of nuclear weapons in other countries. It was gratifying that France and China, although not parties to the NPT, had maintained compliance with article I. The nuclear-weapon States should, however, take particular care that their military, scientific and civil nuclear co-operation with non-nuclear-weapon States did not - even inadvertently - contribute to any nuclear weapons capacity.

Although there was no evidence that any non-nuclear-weapon State Party to the NPT had violated the article II obligation not to develop nuclear weapons or explosive devices, her delegation was less sanguine that compliance - at

least in spirit - by all Parties with article II had been complete. Statements by any Party about the need to develop such weapons, clandestine procurement of nuclear-sensitive items or evidence of unsafeguarded nuclear activity could raise concerns in that regard. It was thus vital for all States Parties at the Review Conference to reaffirm the importance of full compliance with article II. It should be emphasized in the Final Document that States Parties should refrain from any word or deed that could raise questions about compliance. In short, Parties should not only comply, but be seen to comply.

Mr. FLYNN (Ireland) said that the report of Main Committee I on articles I and II and preambular paragraphs 1 to 3 of the NPT was of pivotal importance to the work of the Conference. Ireland's view, as explained by its Foreign Minister in his statement in the general debate in plenary, was that the dangers of horizontal proliferation had not lessened since the last Review Conference; rather, they had increased, and were taking on new and more secretive forms. The primary task was therefore to send out a clear and unambiguous signal from the Conference that all the States Parties were earnest in their commitment to the basic objectives of the Treaty, as set out in articles I and II, and that they would comply fully with their provisions.

Accordingly, his delegation believed that the Committee's report should focus in particular on the following points. The Conference should call for complete and absolute compliance with articles I and II by all Parties to the Treaty. There should be a strong statement of the deep concerns expressed during the Conference about the risk of proliferation and the danger of nuclear war arising from any proliferation. A review of the implementation of the provisions of articles I and II since 1985 should be undertaken. Lastly, the report should reflect the concerns expressed about the proliferation dangers arising from the activities of States which were not parties to the Treaty.

Mr. HOULLEZ (Belgium) said that, in his delegation's view, very few basic changes would have to be made to the text of the Final Declaration adopted at the Third Review Conference in 1985. That comment held true especially for preambular paragraphs 1 to 3, which seemed to have been unanimously confirmed. However, their wording might be brought up to date by stating, for example, that a nuclear war could not be won and must never be fought and by stressing the need to avoid any proliferation.

Concerning article I, there was no reason to doubt compliance by the nuclear-weapon States which recognized themselves as such. With regard to article II, his delegation believed that the Final Declaration should indicate that, notwithstanding the lack of clear evidence, there were serious concerns about the implementation of that article by some States Parties; hence the need in the Final Document to make a strong appeal to all Parties to comply strictly and scrupulously with their obligations and to avoid any actions which might cause or add to such concerns.

In his plenary statement, he had already expressed his delegation's concern about possible proliferation among States not parties to the Treaty which had nuclear programmes that might lead them - or perhaps had already led them - to acquire nuclear weapons capability. He therefore believed that the relevant paragraph of the 1985 Final Declaration should be strengthened to reflect the extent of that danger, above all if it was associated with ballistic missile capability for delivering powerful weapons of destruction, especially nuclear weapons. The appeal made by several States, including Belgium, for the widest possible adherence to the Missile Technology Control Régime should appear in the Final Document.

Referring to the last paragraph of the part of the 1985 Final Declaration relating to articles I and II and preambular paragraphs 1 to 3, he said that it was preferable, in view of developments in the international climate and the situation in certain regions, that there should be no mentioning of specific countries in the corresponding section of the report. If that approach was to be taken, his delegation would feel obliged to call for the naming of all countries that constituted a potential danger.

Mr. THIELICKE (German Democratic Republic) said that the general debate had revealed a consensus on two major points: first, that the NPT remained an important instrument for international peace and security; and, secondly, that further measures were required to strengthen the Treaty. In that connection, the need for universal adherence was particularly emphasized. Those basic ideas should be reflected in the Final Document, which should also restate that preambular paragraphs 1 to 3 remained valid and underline the fact that non-proliferation was an essential means of preventing nuclear war.

In addition, the Conference might welcome the positive developments in the international situation since the last Review Conference, especially in the East-West context and in relations between the Soviet Union and the

United States. Furthermore, it could express the hope that that tendency would be continued and become worldwide, thereby improving the conditions for the implementation of the NPT.

Concerning articles I and II, the Conference should reaffirm that the strict observance of the terms of those articles remained central to achieving the objectives of the Treaty. It could acknowledge the declarations by the States Parties with regard to the fulfilment of their obligations under articles I and II and take note of the concerns which had just been expressed by the delegations of Canada and Ireland.

Lastly, it might be worthwhile if the Final Document reflected the conviction that universal adherence to the NPT remained the best way to strengthen the barriers against the proliferation of nuclear weapons. The Conference should therefore urge all States not party to the Treaty to accede to it.

The meeting rose at 10.55 a.m.